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C O N F I D E N T I A L USEU BRUSSELS 001949

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DEPARTMENT FOR EUR/SCE TOMLYANOVICH AND SHIRATORI, EUR/ERA  
DYOKAS

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TAGS: [KPAO](#) [PREL](#) [UNMIK](#) [PGOV](#) [EUN](#) [SR](#) [KV](#)  
SUBJECT: EULEX COMMITTEE OF CONTRIBUTORS PRAISES SUCCESSFUL  
INITIAL DEPLOYMENT

Classified By: DCM Christopher Murray for reasons 1.4 (b) and (d).

¶1. (C) Summary: EULEX Head of Mission Yves de Kermabon briefed the Committee of Contributors on December 19 in Brussels, describing a successful deployment throughout Kosovo, the importance of close interaction with other international actors, and the challenges of implementing customs and courts operations. He also made a call for "prudence" in the coming months, a call echoed by a number of contributors. The atmosphere at this meeting was positive, given the relatively uneventful deployment of EULEX. Contributors recognized, however, that the situation is fragile and that difficult challenges lie ahead. End Summary.

¶2. (C) On December 19 at EU Council headquarters in Brussels, EULEX Head of Mission Yves de Kermabon briefed the EULEX Committee of Contributors on the mission's successful deployment and the challenges ahead. De Kermabon said that he was pleased to announce that the deployment had taken place on time, that the mission had sufficient means, and that it had made a good first impression. On December 9, deployment of EULEX units throughout Kosovo had taken place without incident, following the switch-on, switch-off approach. The mission has now deployed to all designated sites, including Gates 1 and 31, and has approximately 1,500 international and 500 local staff. One hundred staff members are in northern Kosovo and are encountering at most indifference to their presence, even though de Kermabon had officially notified local authorities before the deployment of the pending arrival of EULEX.

¶3. (C) De Kermabon averred that EULEX has strong, positive interaction with the UN Special Representative of the Secretary General, the EU Special Representative, and NATO's KFOR, as well as with the Government of Kosovo, with which EULEX signed a cost-sharing agreement on December 17. He also praised the contact between EULEX and the local Kosovo police. In addition, seven judges, prosecutors, and legal advisors are working in Mitrovica, despite not having counterparts. As EULEX Head of Mission, de Kermabon co-chairs the monthly Rule of Law coordination meeting, which is working on difficult issues such as the EULEX role in countering money laundering. In addition to the government,

he has reached out to Orthodox Church leaders, and EULEX is working to get its message out in the press and on television.

¶4. (C) Speaking privately to USEU DCM before the meeting, de Kermabon acknowledged that customs and the courts were the most challenging issues. Before the entire group, he said that EULEX has gradual plans for customs control, but did not provide specifics. He closed his presentation by encouraging "prudence" as EULEX moves toward full operational capability (FOC) and asked for clear political guidance and a clear legal framework.

¶5. (C) Interventions came from the United States, the UK, Norway, Germany, Denmark, Turkey, Italy, Croatia, and Hungary. All contributors congratulated de Kermabon on the successful deployment of EULEX -- with Germany adding that "ESDP made it happen." USEU DCM also expressed pleasure that the UN privileges and immunities had been extended to EULEX, that UNMIK had transferred responsibility for rule of law to EULEX, and that the mission was enjoying excellent cooperation with KFOR. He also emphasized the importance of EULEX moving quickly to build contacts in communities across Kosovo, and of acting even-handedly and transparently throughout Kosovo. The UK, Italy, and Germany echoed de Kermabon's call for prudence in confronting the challenges that lie ahead. Germany, in particular, said that EULEX would need to make some compromises, but at the same time the mission should insist that Belgrade encourage Kosovo Serbs to cooperate. The UK, Italy, and Turkey encouraged strong cooperation with other international actors. Norway asked whether high level positions in EULEX were reserved for EU

Member States. Denmark asked about plans to phase out the reinforcement unit. Turkey pointed out the fragility of the situation in Kosovo and asked for an estimate of when the mission would reach FOC. Croatia said that the international community must ensure that parallel structures do not develop, especially on customs and the courts. Hungary asked for de Kermabon's assessment of the cooperation between Kosovo Serb police and EULEX.

¶6. (C) In response, de Kermabon emphasized the close cooperation between EULEX and other international actors, describing regular coordination meetings with UNMIK. Responding to Norway, he said EULEX officials were selected according to an EU process, but that there was no a priori tying of posts to countries. To Denmark, he said that EULEX would have to conduct a full analysis of the need before recommending to the European Council's Political and Security Committee that the reinforcement be disbanded, something that would not happen before FOC. He declined to speculate on the specific date for FOC, but said that the end of the winter was possible. In closing, de Kermabon emphasized the importance of technical level links with Belgrade, saying that difficult issues like the fight against corruption and organized crime, customs, and the courts, would be best confronted at the technical rather than political level.

SILVERBEG

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